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their domicile, and the address of their owner. They carry on a certain part of their envelope a flag of a particular shape which indicates their nationality.

Every state must see to it that its subjects respect experimental balloons (*ballons-sonde*) landing upon their territory or found in the sea; that they answer the *questionnaire* placed in the car; and return the balloons without delay to their sender. Customs formalities shall be simplified as much as possible in their case.

It is desirable that states should constitute an international union, with an office established at * * * (Strasburg), which shall control the use and regulation of experimental balloons (*ballons-sonde*) and collect the information which they are sent to gather.

63. (Art. 5.) If in time of war one of the belligerents makes use of traveling unmanned balloons in conducting its operations, they may be shot at by the other belligerent in all parts of the atmosphere where hostile acts are permitted.

But, if these aërostats escape the fire of the belligerent troops, neutral states over which they may pass have no right to touch them at whatever height they may be.

In case aërostats of this kind fall on the territory of a neutral state or are found in the sea by the subject of a neutral state, the authorities of that state must hold them, and any despatches or carrier pigeons which they may have on board, until peace is concluded.

RULES OF PROCEDURE IN AMERICAN-BRITISH CLAIMS ARBITRATION

Under the provisions of the convention signed at Washington, August 18, 1910

Pursuant to the agreement by the Government of the United States and the Government of His Britannic Majesty by an exchange of notes dated April 26, 1912, the agents of the respective parties have agreed upon the following rules of procedure:

Chapter I. — Record of Claims and Proceedings

1. The record of claims and proceedings provided for in Article 5 of the special agreement shall consist of a register, a minute book, and such other books as the Tribunal may from time to time order.

The Register

2. The titles of claims appearing in the schedule shall be entered in the Register in the order in which the first pleading in respect of each of such claims is filed.

3. The claims shall be separately numbered in the order in which the claims are entered, and this designation by number shall be retained throughout the proceedings.

4. In the space in the Register allotted to each claim shall be recorded all the proceedings had in relation thereto.

The Minute Book

5. The Minute Book shall contain a chronological record of all the proceedings of the Arbitration, including the filing of all pleadings, filing of original documents, agreements of the agents, notices, interlocutory applications and decisions thereon, hearings before the Tribunal, and awards.

6. The Minute Book shall, at each sitting of the Tribunal, be signed by the President of the Tribunal, and countersigned by the Secretaries.

The Record

7. The Register, the Minute Book, and the other books, if any, shall be kept by the Secretaries of the Tribunal in duplicate.

8. On the conclusion of the Arbitration one set shall be handed to each of the Agents. Documents filed with the Secretaries of the Tribunal under Rule 25 shall, on the conclusion of the Arbitration, be returned to the party by whom they have been filed, and one copy of the pleadings and of the awards filed in the Office of the Tribunal shall be handed to each of the Agents.

Chapter II. — The Pleadings

9. The pleadings shall, in respect of each claim, consist of a Memorial and an Answer. The claimant Government shall also be entitled to file a Reply if it thinks necessary.

10. The pleadings on either side shall be prepared with all dispatch and filed as soon as may be reasonably possible after the making of these rules.

The Memorial

11. The Memorial shall contain a succinct statement of the facts out of which the claim arises, of the grounds upon which it is put forward, and of the relief claimed.

12. The Memorial shall be accompanied by copies of the documents and other proofs upon which the claimant Government relies.

13. In the case of claims put forward on behalf of private individuals, corporations, or societies, other than claims arising out of treaties with Indian tribes or nations, the Memorial shall set out the name and nationality of the claimant, or, where the claimant is dead, of his present representatives, with the evidence in support of such nationality.

14. Where more than one claim arises out of the same set of facts, all or any of such claims may be included in the same Memorial.

The Answer

15. The Answer shall set out the grounds upon which the claim is resisted by the respondent Government, and shall in so doing indicate clearly the attitude of the respondent Government toward the several allegations contained in the Memorial.

16. The Answer shall be accompanied by the documents and proofs upon which the respondent Government relies.

The Reply

17. Where a Reply is considered necessary by the claimant Government, it shall deal only with allegations in the Answer, which present facts or contentions not adequately met or dealt with in the Memorial.

18. The Reply shall be accompanied by such documents and proofs as may be required for the purposes thereof.

Further Evidence

19. If the respondent Government considers it necessary to file further evidence for the purpose of answering the statements contained in the Reply, such further evidence may be filed without a written pleading, but accompanied by a short explanatory summary.

20. There shall be no written pleadings other than the Memorial, the Answer, and the Reply, except by agreement between the Agents or by order of the Tribunal.

21. Either party may make use in its pleadings of any of the "American State Papers," "Foreign Relations of the United States," British "State Papers," British "Blue Books," and British Colonial "Parliamentary Papers," and of any treaties, conventions, statutes, and reports of judicial decisions, which have been published officially either in the United States or in the British Empire, without filing copies thereof, provided that the party making use of the same shall, if required to do so by the Agent of the other party, supply one copy of such publication or document for the use of the Tribunal and one copy for each Agent. Where either party desires to make use in its pleadings of any voluminous reports or documents, not contained in any of the publications above named, such reports or documents need not be printed as part of the pleadings, but seven copies thereof shall accompany and be delivered with the pleadings. Of these seven copies, two shall be filed in the Office of the Tribunal, one shall be sent by the Secretaries to each member of the Tribunal, and two to the Agent of the other party. This rule shall not be held to preclude the party from printing in or with his written pleading extracts from such report or document.

Chapter III. — Filing of Pleadings

22. Pleadings and further evidence, if any, shall be printed by the parties on paper of the size of $9\frac{1}{8}$ inches by $5\frac{7}{8}$ inches, when folded.

23. Twenty-eight copies of all pleadings, and of further evidence under Rule 19, if any, shall be delivered at the Office of the Tribunal.

24. Of these copies, two shall be filed in the Office of the Tribunal and twenty shall be forwarded forthwith to the Agent of the other party, with a note specifying the date on which the document was filed, and two shall be at the disposal of each member of the Tribunal.

Chapter IV. — Evidence

25. The originals of all documents and other proofs brought forward in support of or in answer to a claim shall, so far as possible, be filed in the Office of the Tribunal, in order that they may be open to the inspection of the members of the Tribunal and of the other party.

26. Where the originals are not in existence, or can not be traced, copies authenticated in the best available manner shall be filed instead of the originals.

27. Where the original of any such document or other proof is filed at any Government office on either side and can not conveniently be withdrawn, it shall be open to the inspection of the Agent of either party, respectively, or of any person designated by him for the purpose.

28. It shall not be necessary to file copies of any legislative act or judicial decision which has been published officially and of which copies can be obtained by the public.

29. Notice to inspect the original of any document referred to in Rule 27 shall be given to the Agent of the other party and a copy thereof filed in the Office of the Tribunal.

30. The right to inspect shall extend to the whole of any document of which part only is brought forward in support of or in answer to a claim, but shall not extend to any enclosures therein, or annexes thereto, or minutes, or endorsements thereon, if such enclosures, annexes, minutes, or endorsements are not adduced as evidence or referred to in the pleadings.

Chapter V. — Interlocutory Applications

31. An application to the Tribunal for an order under Rules 20 and 36, or upon any other matter of procedure within its jurisdiction, shall be made in writing.

32. Notice of the application shall be given by the Secretaries of the Tribunal to the Agent of the other party, and the day upon which the application will be heard shall be notified to the Agents of both parties, and one Counsel shall be heard by the Tribunal thereon on either side.

33. Orders of the Tribunal, if any, made in such applications shall be entered in the Minute Book and copies thereof shall be communicated to the Agents.

Chapter VI. — The Hearing

34. The order in which claims shall come on for hearing before the Tribunal shall be arranged between the Agents.

35. At the hearing of a claim, Counsel shall be heard on either side. Counsel for the claimant Government shall open the case and shall have the right to reply.

36. There shall be no oral evidence at the hearing of a claim, except by agreement between the Agents or by order of the Tribunal. If oral

evidence be given at the hearing on behalf of one party, Counsel for the other party shall have a right to cross-examine the witness.

37. Where, under the terms of submission or by agreement between the Agents, any question is to be dealt with at the hearing and decided as a preliminary question, the arguments of Counsel at the hearing shall be addressed to that question; but they shall be entitled to enter into the facts of the case as far as they may deem necessary.

38. If the decision of the Tribunal upon such preliminary question do not dispose of the claim, a second hearing shall take place for its further argument.

Chapter VII. — The Award

39. The award of the Tribunal in respect of each claim shall be delivered at a public session of the Tribunal as soon after the hearing of such claim has been concluded as may be possible.

40. The award shall set out fully the grounds on which it is based and shall be signed by the President of the Tribunal.

41. Any member of the Tribunal who dissents from the award shall make and sign a dissenting report setting out the grounds upon which he dissents and the award which in his opinion should have been made.

42. Two signed copies of the award and of a dissenting report, if any, shall be filed in the Office of the Tribunal, and twenty printed copies shall be given to each of the Agents.

Chapter VIII. — Sessions of the Tribunal

43. The sessions of the Tribunal for the purpose of hearing the arguments of Counsel or for the delivery of awards shall be open to the public.

(Signed) S. Mallet-Prevost,
Agent of the United States.
(Signed) C. J. B. Hurst,
Agent of Great Britain.

July 11, 1912.